

The opinion in support of the decision being entered today is not binding precedent of the Board.

Paper 41

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

JOHN LAURENCE MELANSON
Junior Party,
(Patent 6,259,317),

v.

JAMES C. STRICKLAND and CARLOS A. CASTREJON

Senior Party,
(Application 10/191,753).

Patent Interference No. 105,196

Before: SCHAFER, TORCZON, and MEDLEY, Administrative Patent Judges.

MEDLEY, Administrative Patent Judge.

Judgment - Bd.R. 127

On 24 February 2005, the junior party Melanson was ordered to show cause why judgment should not be entered against it (Paper 40). No response was made by the due date.

On 17 March 2005, counsel for Melanson informed board personnel that Melanson would not respond to the show cause order. Accordingly, it is

ORDERED that judgment on priority as to Count 1 (Paper 1 at 5) is awarded against junior party JOHN LAURENCE MELANSON .

FURTHER ORDERED that junior party JOHN LAURENCE MELANSON is not entitled to a patent containing claims 1-3 and 7-9 (corresponding to Count 1 - Paper 39) of U.S. patent 6,259,317.

FURTHER ORDERED that a copy of this paper shall be made of record in files of application 10/191,753 and U.S. Patent 6,259,317.

FURTHER ORDERED that if there is a settlement agreement, attention is directed to 35 U.S.C. § 135(c) and Bd.R. 205.

cc (via email):

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